



OTAS Insight

WF-001

Tactical Strategic 

Correct as of 20 October 2026

Great Britain

The new duty to prevent harassment of crew by the public: what event employers must do from 30 October 2026

OTAS Insights · Event Professionals Global News · Level: Tactical and Strategic · Correct as of 20 October 2026

From 30 October 2026, employers in Great Britain can be liable when customers, clients or contractors harass their staff, and the duty to prevent sexual harassment rises to "all reasonable steps". For event operations, where crew work face to face with the public every night, here is what changes and what to do now.

At a glance

- **When:** 30 October 2026. England, Scotland and Wales. Not Northern Ireland.
- **What:** an employer must not "permit a third party to harass" its employee in the course of their work. A third party is anyone other than the employer or its employees.
- **Sexual harassment:** the existing prevention duty becomes "all reasonable steps".
- **Your defence:** the question is whether the employer took all reasonable steps to prevent it.
- **Do this week:** brief every shift, set up a reporting route that works on site, log every report and check your client and venue contracts.

Why event operations is exposed

Few sectors put staff in closer contact with the public, often late at night, with alcohol, crowds and short contracts. Stewards, security, bar and front-of-house staff, artist liaison and runners are all exposed. A tribunal is likely to ask what an employer in that setting should have foreseen.

What changes on 30 October

The government has confirmed the date. The Employment Rights Act 2025 (Commencement No. 6 and Transitional and Saving Provisions) Regulations 2026 (SI 2026/1065, made 1 October 2026) bring three sections of the Employment Rights Act 2025 into force on **30 October 2026**:

- **Section 20** changes the existing duty in section 40A of the Equality Act 2010. Since 26 October 2024, employers have had to take "reasonable steps" to prevent sexual harassment of their employees. From 30 October that becomes "**all** reasonable steps".
- **Section 21** adds new subsections to section 40 of the Equality Act. An employer must not "permit a third party to harass" its employee. It does so if the harassment happens in the course of the employee's work and the employer "failed to take all reasonable steps to prevent" it. A third party is anyone other than the employer or its employees: audience members, customers, client staff, artists and their teams, suppliers, contractors.
- **Section 22** gives ministers a power to set out in regulations what counts as "reasonable steps" on sexual harassment. No such regulations have been made yet.

These changes apply in England, Scotland and Wales. They do not apply in Northern Ireland, which has its own equality law.

What it means

Third-party harassment covers more than sexual harassment

Third-party harassment is back in the Equality Act, in a wider form. It covers all harassment under section 26: unwanted conduct related to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, as well as sexual harassment. Pregnancy and maternity, and marriage and civil partnership, are not covered. There is no requirement for earlier incidents or for the employer to have known about the person before.

The defence is prevention

An employer is not liable simply because a member of the public behaved badly. The question is whether the employer took all reasonable steps to prevent it. Government guidance says tribunals will look at what is realistic, such as the type of third party, how often staff deal with them and the setting. It also says that conduct which is trivial or only mildly offensive will not meet the legal test for harassment. That is guidance, not a list in the law.

The sexual harassment duty gets tougher

"All reasonable steps" means doing every step that is reasonable for your organisation, not just some. This duty can still be enforced by the Equality and Human Rights Commission (EHRC). An employment tribunal can add up to 25% to compensation in a successful sexual harassment claim where the employer also breached that duty.

Who is protected

The duties protect "employees" in the Equality Act sense. That includes people on a contract of employment and people on a contract to do the work personally, which takes in many casual and agency-supplied crew. Whether a particular self-employed freelancer is covered depends on their working arrangements. If you are unsure about your crew, take advice.

Supplied crew

The new duties sit with the employer. If you supply stewards or bar staff to a client, your organisation is likely to be the one that must take the steps, even though the client or venue controls the site. That makes your contracts with clients and venues part of your defence.

What to do

Operational: crew on the ground

- **You can report it.** Harassment by a guest, a client's staff, an artist's team or another contractor is reportable, whether it is sexual or about your race, religion, disability, age, sexuality or gender identity.
- **How to report.** Tell your supervisor or event control as soon as it is safe, using the route given at your briefing. Note the time, place, what happened and any witnesses.
- **What support to expect.** You should be taken seriously, moved from the post if needed and kept informed about what was done. Your employer should not treat you worse for reporting.
- **If it is not resolved.** Raise it in writing with your employer. Acas offers free, confidential advice on its helpline and website.

Tactical: briefings, reporting and supervision

- **Brief every shift.** Add 2 lines to the pre-shift briefing: what behaviour from the public is not acceptable, and exactly how to report it.
- **Give a reporting route that works on site.** A named supervisor, a radio call sign or code word and a simple form after the shift. Do not rely on an email address nobody checks during the event.
- **Train supervisors.** Supervisors and team leaders should know how to step in, move a staff member to another post, call security and record what happened.
- **Use the event control log.** Log each report with time, location, what was done and who was told. Logs show the steps you took.
- **Review after the event.** Look at reports in the debrief, spot hot spots (a bar, a gate, a hospitality area) and change the plan for the next show.

Strategic: leadership, policy and contracts

- **Name an owner.** Make one senior person accountable for harassment prevention and report on it to leadership at least each season.
- **Update your policy.** Make sure it covers harassment by third parties and all the protected characteristics listed above. It should also state clearly that staff will be supported. Use the current EHRC technical guidance until the updated version is published, and check Acas guidance.
- **Risk assess it.** Add harassment by the public to your event risk assessment for each show or site: late finishes, alcohol, VIP and artist areas, lone working, queues and ejections. Record the controls.
- **Write it into contracts.** In agreements with clients, venues and promoters, set out who handles abusive guests and who has the power to refuse service or remove people. Also set out how incidents are shared with you, and that your crew can be withdrawn from a post if needed. Ask suppliers and subcontractors to brief their own staff.
- **Check status.** List who is on your crew and on what basis, so you know who the duty clearly covers.

Checklist: before your next show

- ☐ One senior owner named for harassment prevention
- ☐ Policy covers harassment by third parties and all the protected characteristics above
- ☐ Harassment by the public is in the event risk assessment, with controls recorded
- ☐ Client, venue and promoter contracts say who handles abusive guests, how incidents are shared and that crew can be withdrawn from a post
- ☐ Crew list shows who is engaged on what basis
- ☐ Pre-shift briefing includes what is not acceptable and how to report it
- ☐ On-site reporting route set: named supervisor, radio call sign or code word, post-shift form
- ☐ Supervisors know how to step in, move someone, call security and record it
- ☐ Every report logged in the event control log
- ☐ Reports reviewed in the debrief and the plan changed for the next show

Action box

Level	Do this
Operational	Report it to your supervisor or event control as soon as it is safe, and note the time, place, what happened and any witnesses.
Tactical	Brief every shift, set up a reporting route that works on site, train supervisors and log every report.
Strategic	Name an owner, update the policy, add harassment by the public to the risk assessment and write it into client and venue contracts.

This article is general information, not legal advice. It does not replace your own legal advice, risk assessments or contracts. It is not an exclusion of anyone's liability. Check the current position at the sources below before acting.

Work with OTAS

Do your shift briefings, reporting routes and contracts cover harassment of crew by the public?

[Request a call with OTAS to discuss how we can help](#)

Published by OTAS Insights. Last updated: 20 October 2026. Spotted an error? Tell us and we will correct it.

References

1. The Employment Rights Act 2025 (Commencement No. 6 and Transitional and Saving Provisions) Regulations 2026, SI 2026/1065, reg 3: <https://www.legislation.gov.uk/uksi/2026/1065/made>
2. Employment Rights Act 2025, s.20: <https://www.legislation.gov.uk/ukpga/2025/36/section/20>
3. Employment Rights Act 2025, s.21: <https://www.legislation.gov.uk/ukpga/2025/36/section/21>
4. Employment Rights Act 2025, s.22: <https://www.legislation.gov.uk/ukpga/2025/36/section/22>
5. Equality Act 2010, s.26 (harassment): <https://www.legislation.gov.uk/ukpga/2010/15/section/26>
6. Equality Act 2010, s.40: <https://www.legislation.gov.uk/ukpga/2010/15/section/40>

7. Equality Act 2010, s.40A: <https://www.legislation.gov.uk/ukpga/2010/15/section/40A>
8. Equality Act 2010, s.41 (contract workers): <https://www.legislation.gov.uk/ukpga/2010/15/section/41>
9. Equality Act 2010, s.83 (meaning of employment): <https://www.legislation.gov.uk/ukpga/2010/15/section/83>
10. Equality Act 2010, s.109: <https://www.legislation.gov.uk/ukpga/2010/15/section/109>
11. Equality Act 2010, s.124A (compensation uplift): <https://www.legislation.gov.uk/ukpga/2010/15/section/124A>
12. Worker Protection (Amendment of Equality Act 2010) Act 2023: <https://www.legislation.gov.uk/ukpga/2023/51/contents>
13. Business.gov.uk, Workplace sexual harassment and third-party harassment (updated 17 Sep 2026): <https://www.business.gov.uk/campaign/employment-changes/employers/workplace-sexual-harassment-and-third-party-harassment/>
14. GOV.UK (Department for Business and Trade), Preventing workplace sexual harassment: enabling regulations about 'reasonable steps' (3 factsheets, including 'Harassment by third parties'): <https://assets.publishing.service.gov.uk/media/6968f4653f43dfed1544b0d8/preventing-workplace-sexual-harassment-enabling-regulations-about-reasonable-steps.pdf>
15. Acas, Employment Rights Act 2025 (page last updated 20 Oct 2026): <https://www.acas.org.uk/employment-rights-act-2025>
16. Acas, Sexual harassment: <https://www.acas.org.uk/sexual-harassment>
17. EHRC, Sexual harassment and harassment at work: technical guidance: <https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance>

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